

ASSEMBLY BILL

No. 1579

Introduced by Assembly Member Cogdill

February 21, 2003

An act to add Section 3821 to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1579, as introduced, Cogdill. Workers' compensation: unlawful acts: fraud.

Existing law provides that it is unlawful to commit various acts that compromise the integrity of the workers' compensation system, including presenting any knowingly false or fraudulent written or oral material statements in order to obtain or deny a claim for workers' compensation.

This bill would require an applicant for employment, upon the request of an employer, to disclose whether he or she has ever been adjudicated to have committed any of those unlawful acts or been convicted of violating other specified unlawful acts relating to fraud.

The bill would also declare that it is the intent of the Legislature to enact legislation to increase civil penalties for workers' compensation fraud and to use this increased revenue for additional antifraud investigations.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3821 is added to the Labor Code, to
2 read:

3 3821. Upon the request of an employer, an applicant for
4 employment shall disclose both of the following:

5 (a) Whether he or she has ever been adjudicated to be in
6 violation of Section 3820.

7 (b) Whether he or she has ever been convicted of violating
8 Section 1871.4 of the Insurance Code or Section 550 of the Penal
9 Code with respect to a workers' compensation insurance claim.

10 SEC. 2. It is the intent of the Legislature to enact legislation
11 to increase civil penalties for workers' compensation fraud, and to
12 use this increased revenue for additional antifraud investigations.

